

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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**JEREMIE SMITH,**

Plaintiff,

-vs-

**STIPULATION OF PARTIAL  
DISCONTINUANCE**

13-CV-6127

**COMMISSIONER FISCHER, et al.,**

Defendants.

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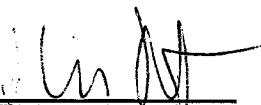
IT IS HEREBY STIPULATED AND AGREED by the parties herein that the above-entitled Action is hereby discontinued, with prejudice and without costs to any party, except as to the following Defendants, who will be retained as parties in this matter:

- 1) Michael Sheronta
- 2) Officer Marotta
- 3) Dr. Weinstock
- 4) Thomas Schlee
- 5) Nurse Cheasman
- 6) Corrections Officer Parish
- 7) Corrections Officer Casper

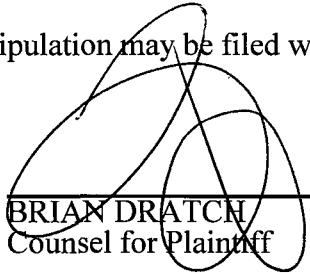
IT IS HEREBY STIPULATED AND AGREED that this document does not affect, impact or nullify any currently-pending motions before the Court.

IT IS HEREBY STIPULATED AND AGREED that this document does not warrant, guarantee, indicate or imply that any party's claim or defense is meritorious, or that any individual, whether those named above or those to be dismissed, has been served or is represented by counsel.

IT IS HEREBY STIPULATED AND AGREED that this stipulation may be filed with the Clerk of the Court without further notice.

  
**HILLEL DEUTSCH**  
Assistant Attorney General of Counsel  
Attorney for Served Defendants

Dated: February 4, 2019  
Rochester, New York

  
**BRIAN DRATCH**  
Counsel for Plaintiff

Dated: February 11, 2019  
New York, New York

**CERTIFICATE OF SERVICE**

I certify that on February 22, 2019, I electronically filed the foregoing Stipulation of Partial Discontinuance with the Clerk of the District Court using CM/ECF system, which sent notification of such filing to the following:

1. Brian Dratch, Esq.  
Franzblau Dratch, P.C.  
233 Broadway  
Suite 1800  
New York, NY 10279

And, I hereby certify that I have mailed, by the United States Postal Service, a copy of the document to the following non-CM/ECF participant(s):

1. n/a

LETITIA JAMES  
Attorney General of the State of New York  
Attorney for Served Defendants

s/Hillel Deutsch  
HILLEL DEUTSCH  
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NYS Office of the Attorney General  
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